BOARD OF NURSING MINUTES September 14, 2006

PRESENT: Marilyn Kaufmann, Kathleen Sullivan, June Bahr, Gretchen Lowe, Peggy Heine,

Margaret Wood, Terrie Garcia, Julia Nelson, Evelyn Merriett

EXCUSED: None.

STAFF PRESENT: Tom Ryan, Director of Health Professions; Colleen Baird, Legal Counsel; Gina York,

Bureau Assistant, and other DRL staff

GUESTS: Kay M. Grotchueschen, MATC-Madison; Marilyn Rinehart MATC-Madison; Nancy

Vrabec, MATC-Milwaukee; Dessie Levy, MATC-Milwaukee; Donell Rogness MATC-Madison; Judy Warmuth, WHA; Gina Dennik-Champion, WNA; John Buonora, WANA; Jennylynde Packham, Self; Anita Weier, Capitol Times Newspaper; Jeremy Levin, WI

Medical Society

CALL TO ORDER

Marilyn Kaufmann called the meeting to order at 9:10 a.m. A quorum of nine members was present for today's meeting. Ms. Kaufmann welcomed the new Board member Evelyn Merriett who will be replacing Blaine Ropson.

APPROVAL OF AGENDA

Additions to the Agenda:

- ➤ Open Session: Under Presentation of Proposed Stipulations Received After the Mailing of the Agenda Add names Tina Erickson, RN; Deda Kreuzer, LPN; and Cheryl Maas, RN
- Under FYI Add Correspondence Regarding Frances Meyer, RN, NIP, from Kevin Hayden, DHFS
- ➤ Closed Session: After Item K Add Grant Limited License in Addition to Formal Refresher Course
- Closed Session: Under Deliberation of Monitoring Received After the Mailing of the Agenda Add names Lee Dziatkiewicz and Donald Ross
- Closed Session: Under Deliberation of Proposed Stipulations Received After the Mailing of the Agenda
 Add names Tina Erickson, RN; Deda Kreuzer, LPN; and Cheryl Maas, RN
- ➤ Closed Session: Under Deliberation of Administrative Warnings Received After the Mailing of the Agenda Add names M.L.V., RN (Case 04 NUR 429)

MOTION: June Bahr moved, seconded by Gretchen Lowe, to approve

the agenda of September 14, 2006 as amended. Motion carried unanimously.

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APPROVAL OF MINUTES OF JULY 13, 2006

Amendments to the Minutes:

None.

MOTION: Peggy Heine moved, seconded by Terrie Garcia, to approve the

July 13, 2006 minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Tom Ryan, Director of Health Professions, shared with the Board that he would be filling in at today's meeting for Kimberly Nania who is currently out of the office. At this time, there is nothing of significance to share regarding the administrative report.

PRESENTATION OF PROPOSED STIPULATIONS:

There were fifteen proposed stipulations before the Board at today's meeting. They were regarding the following individuals: Pauline Carter, LPN (06 NUR 069); Susan Kay Chandre, RN (03 NUR 137); Timothy Cole, RN (04 NUR 226 & 05 NUR 012); Scott Fire, LPN (05 NUR 351); Shirley Funderburg, RN (03 NUR 231); Sandra Hughes, LPN (03 NUR 177); Loralee Isaacson, RN (05 NUR 192); Phyllis Johnson, RN (04 NUR 148); Judy Jurgilanis, LPN (04 NUR 105); Trudy McClintock, RN (04 NUR 196); Linda Parker, RN (04 NUR 379); T.J. Ratliff, RN (04 NUR 185); Katherine Rotramel, R.N. (04 NUR 190); Lynn Schultz, R.N. (05 NUR 203); and Carol Seeley, LPN (04 NUR 09/183)

PRESENTATION OF PROPOSED STIPULATIONS RECEIVED AFTER THE MAILING OF THE AGENDA

There were three proposed stipulations received after the mailing of the agenda before the Board at today's meeting regarding the following individuals: Tina Erickson, RN; Deda Kreuzer, LPN; and Cheryl Maas, RN.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

The Board reviewed the summary reports with Colleen Baird, Legal Counsel, who was available to the Board for questions and clarification if needed.

UPDATE AND STATUS ON ALL PENDING LEGISLATION

The Board received an update on that status of pending legislation at today's meeting.

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BOARD REVIEW OF SCREENING PANEL AND COMMITTEE ASSIGNMENTS

The Board reviewed and made several assignment changes at today's meeting. A copy of the new assignment lists will be distributed to all members at the next Board meeting.

NCSBN DELEGATE ASSEMBLY REPORT BY MARILYN KAUFMANN

Marilyn Kaufmann provided a brief report regarding the NCSBN Delegate Assembly meeting she and Kimberly Nania, Administrator of the Division of Board Services, attended in August of 2006. There was a lot of discussion regarding their By-laws and Director issues. One of the major topics that was addressed at the meeting was Drug Screening. Ms. Kaufmann provided a copy of materials gathered relating to this topic for Board members to review.

DISCUSSION REGARDING HOW TO PRIORITIZE CASES, THE PROCESS, AND AVERAGE TIMEFRAMES TO MOVE A CASE THROUGH TO COMPLETION BY DOE

Michael Berndt, Division of Enforcement, did a presentation to the Board of Nursing regarding how cases are prioritized, the process and average timeframes that cases move through the system to completion. As of September 13, 2006 the caseload in DOE is 2009 cases with each attorney having approximately 150 cases. Mr. Berndt shared the five stages that cases go through and how cases are prioritized. He reviewed the types of discipline and emphasized that the purpose of discipline is for the protection of the public and rehabilitation not to punish the individual. He reviewed the monitoring process and that the Board of Nursing has approximately one-third of all formal actions.

DISCUSSION REGARDING DRUG SCREENING AS A REGULATORY TOOL

NI	otod.	
ΙN	oted.	

INFORMATIONAL ITEMS

Noted.

REPORT OF THE FACULTY SHORTAGE MEETING

Marilyn Kaufmann reported that there is nothing significant to report at this time. The group has not met over the last couple of months. They have received data and are currently working on the new statistics. The group will be having one more meeting around the end of October 2006. Once the taskforce has completed its meetings it will present a recommendation paper for consideration by the Board of Nursing and other interested parties.

REPORT WI NURSING CENTER

Gina Dennik-Champion, WNA, there is nothing further to report at this time. Marilyn Kaufmann will keep the Board abreast of any relevant issues and the results from these meetings.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Marilyn Kaufmann provided a report to the Board regarding the activities and actions taken at the Education and Licensure Committee on September 14, 2006.

NCLEX PASS RATE MONITORING

MOTION: Gretchen Lowe moved, seconded by Terrie Garcia, to request a NCLEX

pass rate plan for improvement from Blackhawk Technical college associate degree program

and

Indianhead Technical College associate degree program. Motion carried unanimously.

Board's Action:

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to accept the recommendation

of the Education and Licensure Committee and request a NCLEX pass rate plan for improvement from Blackhawk Technical college and

Indianhead Technical Collegeassociate degree programs. Motion carried unanimously.

MATC MADISON NCLEX PASS RATE IMPROVEMENT PLAN

MOTION: Getchen Lowe moved, seconded by Terrie Garcia, to approve the NCLEX

improvement plan from MATC Madison associate degree program. Motion carried

unanimously.

Board's Action:

MOTION: Getchen Lowe moved, seconded by Terrie Garcia, to accept the recommendation

of the Education and Licensure Committee and approve the NCLEX

improvement plan from MATC Madison associate degree program. Motion carried

unanimously.

ALTERNATE SITE APPROVAL MATC MILWAUKEE PN PROGRAM

MOTION: June Bahr moved, seconded by Gretchen Lowe, to approve the alternate site with the stipulation to deny any further admissions to further classes at the alternative site until

Board of Nursing (BON) September 14, 2006, Minutes Page 4 of 15 NCLEX-PN pass rate issues are addressed for the program as a whole. Motion carried unanimously.

Board's Action:

MOTION:

June Bahr moved, seconded by Gretchen Lowe, to accept the recommendation of the Education and Licensure Committee and approve the alternate site with the stipulation to deny any further admissions to further classes at the alternative site until NCLEX-PN pass rate issues are addressed for the program as a whole. Motion carried unanimously.

REPORT OF PRACTICE COMMITTEE

Kathleen Sullivan provided a report to the Board regarding the Practice Committee's topics, future issues and actions taken at the September 14, 2006 meeting.

CONSULT WITH LEGAL COUNSEL

The Board consulted with Colleen Baird, Legal Counsel, as necessary throughout today's meeting.

DISCUSS AND REVIEW PRACTICE QUESTIONS RECEIVED BY LEGAL COUNSEL

This is ongoing and is being worked on during Practice Committee meetings.

VISITOR COMMENTS

None.

A SMILE FOR THE DAY

Noted.

CONVENE TO CLOSED SESSION

MOTION: Kathleen Sullivan moved, seconded by Terrie Garcia, to adjourn

to closed session pursuant to Wisconsin State statutes 29.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Motion carried by roll call vote: Marilyn Kaufmann-yes, Gretchen Lowe-yes, Margaret Wood-yes; Terrie Garcia-yes, Kathleen Sullivan-yes; June Bahr-yes; Peggy Heine-yes; Julia Nelson-yes; and Evelyn Merriett-yes.

Board of Nursing (BON) September 14, 2006, Minutes Page 5 of 15 Open Session recessed at 10:12 a.m.

RECONVENE INTO OPEN SESSION

MOTION: Terrie Garcia moved, seconded by Kathleen Sullivan, to

reconvene into open session at 2:44 p.m. Motion carried

unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Peggy Heine moved, seconded by Kathleen Sullivan, to approve all decisions made in closed session. Motion carried unanimously.

UPDATE AND DISCUSSION REGARDING OPT-OUT - COLLEEN BAIRD

Noted.

IMPAIRED PROFESSIONALS PROGRAM (IPP)

None.

APPLICATION REVIEWS

APPEARANCES BEFORE THE BOARD REGARDING REVIEW OF HISTORY

ERIN JOYCE

MOTION: June Bahr moved, seconded by Terrie Garcia, to grant

full licensure to Erin Joyce. Motion carried unanimously.

DENISE BIANCO

MOTION: June Bahr moved, seconded by Peggy Heine, to grant

full licensure to Denise Bianco. Motion carried unanimously.

DENISE MCCLURE

MOTION: Peggy Heine moved, seconded by Kathleen Sullivan, to grant

full licensure in Wisconsin to Denise McClure. Motion carried

unanimously.

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DAVID LABADIE

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to grant a

limited license to David Labadie with the submission of quarterly work reports, no independent practice, not to use RN title until license is granted, no agency, pool, hospice, or home health. Mr. Labadie may not repetition the Board until the Podiatry Order has been completed. Any non-compliance will result in suspension of license without petition or hearing. Reason for Denial: Based on the Podiatry Board Order Regarding Mr. Labadie.

Motion carried unanimously.

ADDITIONAL INFORMATION

WILLIAM MAHER

MOTION: Terrie Garcia moved, seconded by Kathleen Sullivan, to grant

full licensure to William Maher. Motion carried unanimously.

LIMITED LICENSE WITH ON THE JOB TRAINING AND REFRESHER COURSE

LAUREEN ANDERSON

MOTION: June Bahr moved, seconded by Terrie Garcia, to deny

Laureen Anderson's request for a limited license to received

on-the-job training. Motion carried unanimously.

MONITORING

APPEARANCES BEFORE THE BOARD

HEIDI RIVER

MOTION: June Bahr moved, seconded by Peggy Heine, to deny the

request by Heidi River for full reinstatement of licensure.

Grant Ms. River a reduction in urine screens to twenty-six (26) per year and to allow her to discontinue therapy. Motion carried

unanimously.

REQUESTS FOR FULL LICENSURE

PATRICK SKELTON

MOTION: June Bahr moved, seconded by Gretchen Lowe, to grant full

licensure to Patrick Skelton. Motion carried unanimously.

CHERYL VIOTTO

MOTION: Kathleen Sullivan moved, seconded by June Bahr, to grant a

limited license to Cheryl Viotto for the sole purpose to take

a refresher course. Motion carried unanimously.

REQUESTS FOR STAY AND MODIFICATIONS

MARY BETH KRAMER

MOTION: Kathleen Sullivan moved, seconded by Terrie Garcia, to grant a

three-month stay to Mary Beth Kramer with the modification to reduce urine screens to fourteen (14) per year, no other changes

in modifications. Motion carried unanimously.

HOLLY LAVOIE

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to grant a

three-month stay to Holly LaVoie with the modification to reduce urine screens to forty-two (42) per year with thirty (30) of them as ETG's, no other changes in modifications.

Motion carried unanimously.

REQUESTS FOR LIMITED LICENSE

TAMMY YOUNG

MOTION: Terrie Garcia moved, seconded by June Bahr, to deny

the request by Tammy Young for a limited license, and deny her a three-month stay and request Ms. Young to have a

full AODA assessment from a Board approved provider other than her current provider. Reason for Denial: Due to failure to provide AODA and psychological assessments as requested by the

Board. Motion carried unanimously.

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VOLUNTARY SURRENDER

CATHERINE BUSSEY

MOTION: Kathleen Sullivan moved, seconded by Gretchen Lowe, to accept

the voluntary surrender of licensure regarding Catherine Bussey

and request a flag be placed on the credentialing system.

Motion carried unanimously.

DELIBERATION OF MONITORING RECEIVED AFTER MAILING OF AGENDA

POSSIBLE BOARD ORDER VIOLATION & REQUEST FOR THREE MONTH STAY

LEE DZIATKIEWICZ

MOTION: Peggy Heine moved, seconded by Kathleen Sullivan, to deny a

three-month stay to Lee Dziatkiewicz, with the modification to increase urine screens to forty-two (42) per year with twenty-four (24) of them as random ETG's, no other changes in modifications. Reason for Denial: Due to Mr. Dziatkiewicz's relapse and failure

to report in a timely manner. Motion carried unanimously.

POSSIBLE BOARD ORDER VIOLATION

DONALD ROSS

MOTION: Kathleen Sullivan moved, seconded by Gretchen Lowe, to suspend

the license of Donald Ross and request a full AODA assessment be completed prior

to petitioning the Board. Reason for Denial: Due to Mr. Ross's

non-compliance with the Board Order. Motion carried unanimously.

STIPULATIONS

PAULINE CARTER, LPN

MOTION: June Bahr moved, seconded by Terrie Garcia, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Pauline Carter, LPN. Motion carried unanimously.

SUSAN KAY CHANDRE, RN

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Susan Kay Chandre,, RN. Motion carried unanimously.

TIMOTHY COLE, RN

MOTION: June Bahr moved, seconded by Gretchen Lowe, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Timothy Cole, RN. Motion carried unanimously.

SCOTT FIRE, LPN

MOTION: Terrie Garcia moved, seconded by Kathleen Sullivan, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation,

regarding Scott Fire, LPN. Motion carried unanimously.

SHIRLEY FUNDERBURG, RN

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to adopt

the Stipulation pending the correction of item number 4 in the Board Order to remove all words following the word "orally" regarding Shirley Funderburg, RN. The Board requests that a flag be placed on the credentialing system. Motion carried unanimously.

MOTION: Terrie Garcia moved, seconded by June Bahr, to adopt the amended

Stipulation regarding Shirley Funderburg, RN and to withdrawn the

previous motion. Motion carried unanimously.

SANDRA HUGHES, LPN

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Sandra Hughes, LPN. Motion carried unanimously.

LORALEE ISAACSON, RN

MOTION: Kathleen Sullivan moved, seconded by June Bahr, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Loralee Isaacson, RN. Motion carried unanimously.

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PHYLLIS JOHNSON, RN

MOTION: June Bahr moved, seconded by Peggy Heine, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Phyllis Johnson, RN. Motion carried unanimously.

JUDY JURGILANIS, LPN

MOTION: June Bahr moved, seconded by Peggy Heine, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Judy Jurgilanis, LPN. Motion carried unanimously.

TRUDY MCCLINTOCK, RN

MOTION: Kathleen Sullivan moved, seconded by June Bahr, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Trudy McClintock, RN. Motion carried unanimously.

LINDA PARKER, RN

MOTION: June Bahr moved, seconded by Gretchen Lowe, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation,

regarding Linda Parker, RN. Motion carried unanimously.

T.J. RATLIFF, RN

MOTION: June Bahr moved, seconded by Gretchen Lowe, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding T.J. Ratliff, RN. The Board requests that a flag be placed

on the credentialing system. Motion carried unanimously.

KATHERINE ROTRAMEL, R.N.

MOTION: June Bahr moved, seconded by Terrie Garcia, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation,

regarding Katherine Rotramel, RN and refer to DOE to prepare a surrender

stipulation. Motion carried unanimously.

LYNN SCHULTZ, R.N.

MOTION: Terrie Garcia moved, seconded by June Bahr, to reject

the Stipulation regarding Lynn Schultz, RN. Motion carried unanimously.

CAROL SEELEY, LPN

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Carol Seeley, LPN. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS RECEIVED AFTER MAILING OF AGENDA

TINA ERICKSON, RN

MOTION: Kathleen Sullivan moved, seconded by Gretchen Lowe, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Tina Erickson, RN. Motion carried unanimously.

DEDA KREUZER, LPN

MOTION: Kathleen Sullivan moved, seconded by Gretchen Lowe, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Deda Kreuzer, LPN. Motion carried unanimously.

CHERYL MAAS, RN

MOTION: Gretchen Lowe moved, seconded by Terrie Garcia, to adopt

the Findings of Fact, Conclusions of Law, Order, and Stipulation,

regarding Cheryl Maas, RN. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

J.C.S., RN (05 NUR 014)

MOTION: June Bahr moved, seconded by Terrie Garcia, to issue an

administrative warning regarding J.C.S., RN, Case 05 NUR 014.

Motion carried unanimously.

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J.L.S., RN (04 NUR 392)

MOTION: June Bahr moved, seconded by Terrie Garcia, to issue an

administrative warning regarding J.L.S., RN, Case 04 NUR 392.

Motion carried unanimously.

DELIBERATION OF ADMINISTRATIVE WARNINGS RECEIVED AFTER MAILING OF AGENDA

M.L.V., RN (04 NUR 429)

MOTION: Terrie Garcia moved, seconded by June Bahr, to issue an

administrative warning regarding M.L.V., RN, Case 04 NUR 429.

Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS IN THE MATTER OF DISCIPLINARY PROCEEDINGS RECEIVED AFTER THE MAILING OF THE AGENDA

None.

DELIBERATION OF ORDER FIXING COSTS THAT MAY BE RECEIVED AFTER THE MAILING OF THE AGENDA

None.

DELIBERATION OF PETITIONS FOR REHEARINGS THAT MAY BE SIGNED AFTER MAILING OF AGENDA

None.

DIVISION OF ENFORCEMENT CASE STATUS REPORT

MOTION: June Bahr moved, seconded Peggy Heine, to

close case 05 NUR 061 for no violation.

Motion carried unanimously.

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to

close case 05 NUR 341 for no violation. Motion carried

unanimously.

MOTION: Kathleen Sullivan moved, seconded Peggy Heine, to

close case 06 NUR 001 for P7. Motion carried unanimously.

Board of Nursing (BON) September 14, 2006, Minutes Page 13 of 15 **MOTION:** Kathleen Sullivan moved, seconded by Gretchen Lowe, to

close case 04 NUR 330 & 04 NUR 331 for no violation. Motion

carried unanimously.

MOTION: June Bahr moved, seconded by Terrie Garcia, to close

case 04 NUR 149 for P5 with a Flag placed on the credentialing

system. Motion carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Terrie Garcia, to

close case 05 NUR 193 for insufficient evidence. Motion carried

unanimously.

MOTION: Gretchen Lowe moved, seconded by Peggy Heine, to

close case 04 NUR 062 for insufficient evidence.

Motion carried unanimously.

MOTION: June Bahr moved, seconded by Gretchen Lowe, to close

case 03 NUR 167 for P1. Motion carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Kathleen Sullivan, to

close case 06 NUR 119 for insufficient evidence. Motion

carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Terrie Garcia, to

close case 06 NUR 235 for P5 with a Flag placed on the credentialing

system. Motion carried unanimously.

MOTION: Kathleen Sullivan moved, seconded by Terrie Garcia, to

close case 06 NUR 147 for P7. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Terrie Garcia, to close

case 05 NUR315 for no violation. Motion carried unanimously.

MOTION: Kathleen Sullivan moved, seconded by Peggy Heine, to

close case 05 NUR 316 for insufficient evidence. Motion carried

unanimously.

MOTION: Terrie Garcia moved, seconded by Gretchen Lowe, to

close case 05 NUR 318 for no violation. Motion carried unanimously.

MOTION: Kathleen Sullivan moved, seconded by Terrie Garcia, to

close case 05 NUR 360 for no violation. Abstained - Margaret Wood.

Motion carried.

MOTION: Terrie Garcia moved, seconded by June Bahr, to close cases 04 NUR 308,

04 NUR 309, and 04 NUR 310 for insufficient evidence. Motion carried

unanimously.

MOTION: Gretchen Lowe moved, seconded by June Bahr, to close

case 04 NUR 154 for insufficient evidence. Motion carried

unanimously.

MOTION: Terrie Garcia moved, seconded by Margaret Wood, to

close case 05 NUR 382 for P7. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Terrie Garcia, to close

case 06 NUR 140 for no violation. Motion carried unanimously.

MOTION: Terrie Garcia moved, seconded by June Bahr, to close

case 06 NUR 079 for no violation. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Peggy Heine, to close

case 05 NUR 399 for no violation. Motion carried unanimously.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Kathleen Sullivan moved, seconded by Gretchen Lowe, to

adjourn the meeting at 2:48 p.m. Motion carried unanimously.